



ADDENDUM TO FINAL STATEMENT OF REASONS

PROPOSED AMENDED REGULATIONS

DEPARTMENT OF CONSERVATION STATE MINING AND GEOLOGY BOARD

CALIFORNIA CODE OF REGULATIONS TITLE 14. NATURAL RESOURCES Division 2. Department of Conservation Chapter 8. Mining and Geology Subchapter 1. State Mining and Geology Board Article 1. Surface Mining and Reclamation Practice

UPDATE OF INITIAL STATEMENT OF REASONS

This addendum to the Final Statement of Reasons for the proposed amended regulatory language for the surface mining and reclamation inspection process and corresponding forms, MRCC-1 and NOCI-1, addresses non-substantive changes to regulatory language following submittal of the complete regulatory package to the Office of Administrative Law (OAL). These changes are required by OAL for the amended language to become effective regulatory law.

Title 14 of the California Code of Regulations, Division 2, Chapter 8, Subchapter 1, Article 1, Section 3504.5, subdivision (b) is amended to remove a period following “lead agency employee” in the first sentence to provide correct grammar and punctuation. Additionally, a period is added following “Public Resources Code Section 2774(b)(1)” to provide correct grammar and punctuation.

Subdivision (b) is also amended to replace the sentence, “The evaluation of any aspect or condition of the surface mining operation that constitutes the practice of geology, engineering, landscape architecture, forestry, or land surveying, under California law, shall be done by or under the supervision of California state licensed persons or specialists.” To clarify the type of licensed professional that can lend their expertise, the sentence, “Any person engaged in the practice of geology, engineering, landscape architecture, forestry, or land surveying, in the course of evaluating any aspect or condition of the surface mining operation shall be duly licensed in that practice as required by the Business and Professional Code, Division 3, Chapter 3.5, 7, 12.5, 15 and Public Resources Code, Division 1, Chapter 2.5, Article 3” is added as a replacement. This non-substantive change offers a restatement of existing law.

Subdivision (d) is amended with five small and non-substantive changes. In the first sentence, “maintain” is replaced with “keep on file” to mirror language found in statute. Moreover, the phrase

“beginning July 1, 2020” is added to reflect the date stated in statute. Then, “Public Resources Code Section 2774(e)(3)” is corrected to “Section 2774(d)(3)” to reference the correct PRC Section. Furthermore, the second sentence of subdivision (d) removes the phrasing “or specialists” and “or expertise” because the phrasing is redundant and not needed language.